

**UNITED STATES DISTRICT COURT
SOUTHER DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

EAN HOLDINGS, LLC

PLAINTIFF

VS.

CIVIL ACTION NO. 1:10CV34-LG-RHW

WILBERT JOHNSON, ET AL.

DEFENDANTS

ORDER OF AGREED SETTLEMENT

COME NOW the remaining defendants in this matter, Singing River Health System (“Singing River”), Ella Johnson, C.S. (a minor), N.J. (a minor), and Tessica Williams and submit this Order of Agreed Settlement to this Court. These Settling Defendants hereby state the following:

On or about March 9, 2010 EAN Holdings, LLC filed an interpleader action against Settling Defendants and numerous other individuals, health care providers, and State and Federal bodies interpleading \$20,000.00 for injuries and other damages resulting from an automobile accident. These Settling Defendants are the only defendants who appeared to claim a share of the money. All other named defendants either disclaimed their interest or failed to appear. Plaintiff EAN Holdings, LLC has waived any claim it had to attorney fees from the interpleaded figure.

In order to avoid the time and expense of a trial on this matter, the Settling Defendants have agreed to a distribution of the funds, to be as follows:

C.S., a minor, will receive Five Thousand Dollars (\$5,000.00);

N.J., a minor, will receive Five Thousand Dollars (\$5,000.00);

Singing River will receive Four Thousand, Five Hundred Dollars (\$4,500.00);

Ella Johnson will receive Four Thousand, Five Hundred Dollars (\$4,500.00);

Tessica Williams will receive One Thousand Dollars (\$1,000.00).

This Court, being fully advised in the premises, finds that this settlement is in the best interest of the parties and approves the settlement as to each party, including specifically each minor. The gross sum to be received by each minor is not greater than twenty-five thousand dollars (\$25,000.00). As per Miss. Code Ann. §93-13-211, disbursement of the funds shall be accomplished without the necessity of a formal guardianship. This Court recommends, but does not require, that said funds should be deposited into a guardianship account and further recommends that each minor and guardian should become amenable to the Chancery Court for the proper disposition of said funds.

This Court, being advised that all parties to this action have resolved all issues, finds that this proposed Order of Agreed Settlement is well taken and should be entered. The Court hereby dismisses the case with prejudice, with each party to pay its own costs. This court shall retain jurisdiction over this matter to enforce the distribution of funds and settlement.

SO ORDERED AND ADJUDGED this the 5th day of November, 2010.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.
United States District Judge

s/ Kevin M. Melchi
SINGING RIVER HEALTH SYSTEM
By: Kevin M. Melchi
Dogan & Wilkinson, PLLC
734 Delmas Avenue
P.O. Box 1618
Pascagoula, MS 39568-1618
(228) 762-2272

s/ Bradley W. Rath
ELLA JOHNSON
By: Bradley W. Rath
Bradley W. Rath, PLLC
P.O. Box 4604
266 Debuys Road
Biloxi, MS 39531
(228) 206-1400

s/ J. Bryan VonderBruegge
C.S., A MINOR
By: J. Bryan Vonder Bruegge
P.O. Box 1255
Long Beach, MS 39560-1255
(228) 864-7479

See attached.
TESSICA WILLIAMS
Appearing *Pro Se*

s/ Jay Foster

N.J., A MINOR

By: Jay Foster

1019 Legion Lane

Ocean Springs, MS 39564

(228) 872-6000

This Court, being fully advised in the premises, finds that this settlement is in the best interest of the parties approves the settlement as to each party, including specifically each minor. The gross sum to be received by each minor is not greater than twenty-five thousand dollars (\$25,000.00). As per Miss. Code Ann. §93-13-211, disbursement of the funds shall be accomplished without the necessity of a formal guardianship. This Court recommends that said funds should be deposited into a guardianship account and further recommends that each minor and guardian should become amenable to the Chancery Court for the proper disposition of said funds.

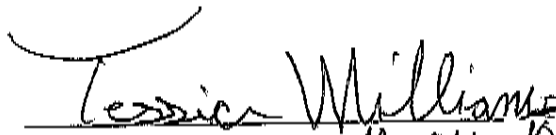
This Court, being advised that all parties to this action have resolved all issues, finds that this proposed Order of Agreed Settlement is well taken and should be entered. Upon distribution, all claims to said funds and this matter will be dismissed with prejudice, with each party to pay its own costs. This court shall retain jurisdiction over this matter to enforce settlement.

DISTRICT COURT JUDGE

SINGING RIVER HEALTH SYSTEM
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TESSICA WILLIAMS 11-04-10
Appearing Pro Se